

# **EXHIBIT 9**

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**From:** Amy Candido  
**Sent:** Tuesday, May 17, 2016 9:37 AM  
**To:** 'Elizabeth K. McCloskey'; Cisco-Arista; 'Cisco-AristaCopyrightTeam@kirkland.com' (Cisco-AristaCopyrightTeam@kirkland.com)  
**Cc:** ARISTA-KVN; WSGR - Arista (Arista-WSGR@wsgr.com)  
**Subject:** RE: Cisco Systems, Inc., v. Arista Network, Inc.; 5:14-cv-05344-BLF (PSG)

Lizzy,

As you know, contrary to the implication of your email below, Cisco has not been ignoring Arista's requests for Mr. Chambers' deposition. Rather, Cisco and Arista have been engaged in correspondence regarding whether Arista's request to depose Mr. Chambers, Cisco's Executive Chairman and former CEO, satisfies the test for an apex deposition. We have been investigating your contention that Mr. Chambers has unique, personal knowledge of facts related to Arista's defenses and damages case, specifically the documents and deposition testimony that you pointed to in order to support your contention. We disagree that the evidence you cited demonstrates unique, non-repetitive and relevant knowledge of the facts at issue. Moreover, Arista has neither exhausted other less intrusive discovery methods nor shown that the discovery sought cannot be obtained from other sources. Accordingly, Cisco stands by its position that Arista has failed to justify a deposition of Mr. Chambers. If you would like to meet and confer regarding this issue, we are available today at 4 pm.

Thanks,  
Amy

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**From:** Elizabeth K. McCloskey [mailto:EMcCloskey@kvn.com]  
**Sent:** Wednesday, May 11, 2016 7:40 PM  
**To:** Cisco-Arista <Cisco-Arista@quinnemanuel.com>; 'Cisco-AristaCopyrightTeam@kirkland.com' (Cisco-AristaCopyrightTeam@kirkland.com) <Cisco-AristaCopyrightTeam@kirkland.com>  
**Cc:** ARISTA-KVN <ARISTA-KVN@kvn.com>; WSGR - Arista (Arista-WSGR@wsgr.com) <Arista-WSGR@wsgr.com>  
**Subject:** FW: Cisco Systems, Inc., v. Arista Network, Inc.; 5:14-cv-05344-BLF (PSG)

Counsel,

We first requested a deposition date for Mr. Chambers on April 7, 2016. Since then, despite multiple requests, Cisco has not provided a date for Mr. Chambers' deposition. Given the imminent close of discovery, we provided the attached deposition notice, but we are willing to negotiate the most convenient date for Mr. Chambers.

Thanks,  
Lizzy

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**From:** Alisa Thompson  
**Sent:** Wednesday, May 11, 2016 5:46 PM  
**To:** 'seanpak@quinnemanuel.com'; John Neukom; 'Cisco-Arista@quinnemanuel.com'; 'aalper@kirkland.com'; Kathleen Sullivan; 'marktung@quinnemanuel.com'; 'michael.devries@kirkland.com'; 'Cisco-AristaCopyrightTeam@kirkland.com'; 'Steven.cherny@kirkland.com'  
**Cc:** ARISTA-KVN; [ARISTA-WSGR@wsgr.com](mailto:ARISTA-WSGR@wsgr.com)  
**Subject:** Cisco Systems, Inc., v. Arista Network, Inc.; 5:14-cv-05344-BLF (PSG)

Dear Counsel:

Attached please find for service:

DEFENDANT ARISTA NETWORKS, INC.'S NOTICE OF TAKING DEPOSITION OF JOHN CHAMBERS

Regards,

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**Alisa Thompson**

Legal Secretary

**KEKER & VAN NEST** LLP

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